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ZNR UUUUU ZZH  
P 170751Z MAY 06  
FM AMEMBASSY TOKYO  
TO RUEHC/SECSTATE WASHDC PRIORITY 2167  
INFO RUEHGV/USMISSION GENEVA PRIORITY 2848  
RUCPDO/DEPT OF COMMERCE WASHINGTON DC PRIORITY

UNCLAS TOKYO 002713

SIPDIS

STATE FOR E FELSING, EAP/J, EAP/EP, EB/TPP/IP  
EAP/J PLEASE PASS TO USTR MEYERS, USPTO KEPLINGER, LOC  
POOR

SIPDIS

E.O. 12958: N/A  
TAGS: [ECON](#) [ETRD](#) [KIPR](#) [WTRO](#) [JP](#)  
SUBJECT: J APAN SPECIAL 301 NOTIFICATION

REF: STATE 66904

¶1. This is an Action Request. Please see paragraph 5.

¶2. Summary: Japan Copyright Office (JCO) officials had no comments on most of the issues raised in talking points in reftel for 2006 Special 301 Review, focusing instead on the new USG concern about copyrights in IP multicasts. They believe that the changes to Japan's Copyright law being studied by various GOJ working groups are consistent with international obligations and strongly requested a clearer explanation from Washington about how the proposed changes might conflict with WIPO treaties. End Summary

¶3. Koichi Chiyo, Acting Director, Japan Copyright Office's International Affairs Division and Koichiro Fujii, Unit Chief in the same office, stressed that they had examined the IP multicast copyright issue and concluded that the proposed changes would align Japanese copyright law with U.S. and EU treatment of IP multicasting and would meet or exceed WIPO obligations.

¶4. Econoff responded that it is difficult to assess the impact of a proposal which has not yet been drafted, but that the USG is trying to alert the GOJ to potential conflicts with its international obligations and the possibility that the changes could result in a form of compulsory licensing.

¶5. Embassy requests additional information from Washington on specific concerns regarding the proposed changes in Japanese copyright law and information on the U.S. approach to handling copyrights for IP multicasts to share with GOJ.

¶6. Note: Embassy briefly talked with Copyright Office officials to highlight the issues in reftel on April 28 per instructions, and followed up with a meeting on May 15 after JCO International Affairs officials had returned from travel.

SCHIEFFER